

§ 3833.33

(3) A copy of the legal instrument or document that you used to transfer the interest in the claim or site under state law.

(c) For each mining claim or site transferred, each transferee must pay the full processing fee specified in the table of service charges and fees in § 3830.21 of this chapter.

(d) BLM will notify the claimant of record with BLM of any action it takes regarding a mining claim or site. If BLM is required by law to give a claimant notice of any new legal requirements, BLM has properly given notice by sending the notice to the claimant of record with BLM.

[68 FR 61071, Oct. 24, 2003, as amended at 70 FR 58879, Oct. 7, 2005]

§ 3833.33 How may I transfer, sell, or otherwise convey an association placer mining claim?

You may transfer, sell, or otherwise convey an association placer mining claim at any time to an equal or greater number of mining claimants. If you want to transfer an association placer claim to an individual or an association that is smaller in number than the association that located the claim, you—

- (a) Must have discovered a valuable mineral deposit before the transfer; or
- (b) Upon notice from BLM, you must reduce the acreage of the claim, if necessary, so that you meet the 20-acre per locator limit.

Subpart D—Defective Filings

§ 3833.90 Defects in recordings or filings for mining claims and sites.

§ 3833.91 What defects cannot be cured under this part?

Defects or other problems that cannot be cured and therefore result in forfeiture of your mining claims or sites are:

- (a) Failing to record a mining claim or site within 90 days after you locate it;
- (b) Failing to pay the location fee or initial maintenance fee within 90 days after you locate it; and
- (c) Locating a mining claim or site on lands withdrawn from mineral entry at the time you locate it.

43 CFR Ch. II (10–1–06 Edition)

§ 3833.92 What happens if I do not file a transfer of interest?

Even if you record your transfer or amendment with the local recording office, BLM will not recognize the interest you acquire, or send you notice of any BLM action, decision, or contest, regarding the mining claim or site until you file the transfer with BLM (see § 1810.2 of this chapter). The Department will treat the last owner of record as the responsible party for maintaining the mining claim or site until you file a transfer notice. You cannot claim that BLM failed to give you notice of any BLM action, decision, or contest regarding a mining claim or site if you failed to file a transfer notice showing that you have an interest in the mining claim or site, before BLM took the action, made the decision, or issued a contest complaint.

PART 3834—REQUIRED FEES FOR MINING CLAIMS OR SITES

Subpart A—Fee Payment

Sec.

3834.10 Paying maintenance, location, and oil shale fees.

3834.11 Which fees must I pay to maintain a mining claim or site and when do I pay them?

3834.12 How will BLM know for which mining claims or sites I am paying the fees?

3834.13 Will BLM prorate annual maintenance or oil shale fees?

3834.14 May I obtain a waiver from these fees?

Subpart B—Fee Adjustment

3834.20 Adjusting location and maintenance fees.

3834.21 How will BLM adjust the location and maintenance fees?

3834.22 How will I know that BLM has adjusted location and maintenance fees?

3834.23 When do I start paying the adjusted fees?

AUTHORITY: 43 U.S.C. 1201, 1740; 30 U.S.C. 28f; 115 Stat 414; 30 U.S.C. 242.

SOURCE: 68 FR 61073, Oct. 24, 2003, unless otherwise noted.